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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff and Counter-Defendant,

and

WAYNE COUNTY DEPARTMENT OF  
HEALTH, AIR POLLUTION CONTROL  
DIVISION,

Plaintiff,

Civil Action No. 77-71100  
Hon. John Feikens

vs.

CITY OF DETROIT, a municipal  
corporation, and DETROIT WATER  
AND SEWERAGE DEPARTMENT,

Defendants and Cross-Defendants,

vs.

ALL COMMUNITIES AND AGENCIES  
UNDER CONTRACT WITH THE CITY  
OF DETROIT FOR SEWAGE TREATMENT  
SERVICES,

vs.

THE FOOD AND ALLIED INDUSTRIES  
COMMITTEE OF METROPOLITAN DETROIT,  
a voluntary non-profit, unincorporated association,  
AND ITS MEMBERS,

vs.

GREATER DETROIT CHAMBER OF  
COMMERCE, a Michigan non-profit  
corporation, AND ITS MEMBERS,

Intervening Rate Challengers.

**F I L E D**  
SEP 21 2009  
CLERK'S OFFICE  
DETROIT

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ORDER FOR PAYMENT OF FEES AND EXPENSES  
OF ACTING CHAIRMAN OF THE SOUTHEAST MICHIGAN  
CONSORTIUM FOR WATER QUALITY

In accordance with my Order of May 5, 2003, which defined the role of the Southeast Michigan Consortium for Water Quality, a copy of which is attached hereto;

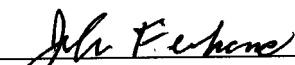
I now order that the fees of Timothy J. O'Brien, acting chairman of the Southeast Michigan Consortium for Water Quality, be paid and charged to the Detroit Water and Sewerage Department's entire system.

I do so because, as acting chairman for the Southeast Michigan Consortium for Water Quality, he has devoted extensive time in the matter of settlement discussions between Macomb County and the Detroit Water and Sewerage Department in regard to the Garfield interceptor repair cost dispute.

Accordingly, IT IS HEREBY ORDERED, that the fees and expenses of Timothy J. O'Brien be paid forthwith in the total amount of Thirteen Thousand Five Hundred Fifty-One (\$13,551.00) Dollars (a copy of the statement is attached hereto), by the Detroit Water and Sewerage Department inasmuch as the Court finds that these charges apply to the Detroit Water and Sewerage Department's entire system. The Court has reviewed the billing statement and finds it to be in order. The total amount requested should be made payable to Timothy J. O'Brien, 6 Golf Crest Court, Dearborn, MI 48124.

IT IS SO ORDERED.

Date: September 21, 2009

  
\_\_\_\_\_  
John Feikens  
United States District Judge

Timothy J. O'Brien, Esq.  
6 Golf Crest Ct.  
Dearborn, Michigan 48124

Statement of Services  
Chairman, Southeast Michigan Consortium for Water Quality  
June – August, 2009

June 2:

- Lewand, Brader telecon; Director's Council prep
- 2.0 hours @ \$200/hour
- Total: \$400.00

June 3:

- Judge Feikens review
- 1.0 hours @ \$200/hour
- Expenses: 27 miles @ .55/mile \$14.85; parking - \$6.00
- Total: \$220.85

June 4:

- Turner, Brader telecon
- 1.0 hours @ \$200/hour
- Total: \$200.00

June 5:

- Director's Council telecon
- 2.0 hours @ \$200/hour
- Total: \$400.00

June 9:

- Chester, Lewand telecon
- 1.0 hours @ \$200/hour
- Total: \$200.00

June 12:

- Judge Feikens review
- 1.0 hours @ \$200/hour
- Expenses: 27 miles @ .55/mile \$14.85; parking - \$6.00
- Total: \$220.85

June 22:

- Lewand, Brader telecon
- 1.0 hours @ \$200/hour
- Total: \$200.00

June 23:

- Sygo, Lewand telecons
- 3.0 hours @ \$200/hour
- Total: \$600.00

June 29:

- Meetings with Judge Feikens and Governor's Office staff
- 6.5 hours @ \$200
- Expenses: 175 miles @ \$.55/mile - \$96.25; parking - \$10.00
- Total: \$1406.25

July 1:

- IMG Review
- 2.5 hours @ \$200/hour
- Expenses; 27 miles @ \$.55/mile - \$14.85; parking - \$8.00
- Total: \$422.85

July 2:

- Feikens, Brader telecon
- 1.0 hours @ \$200
- Total: \$200.00

July 8:

- Director's Council telecon
- 3.5 hours @ \$200
- Total: \$700.00

July 9:

- Chester, Lewand telecon
- 1.0 hours @ \$200
- Total: \$200.00

July 14:

- Heise telecon
- 0.5 hours @ \$200
- Total: \$100.00

July 15:

- Dearborn CSO review; OMI prep; OMI transfer review
- 8.0 hours @ \$200
- Expenses: 25 miles @ \$.55/mile - \$13.75
- Total: \$1613.75

July 17:

- OMI status telecon
- 1.0 hours @ \$200
- Total: \$200.00

July 20:

- Feikens, Lewand telecons
- 1.0 hours @ \$200
- Total: \$200.00

July 21:

- Chester, Lewand telecon
- 1.0 hours @ \$200
- Total: \$200.00

July 27:

- DEQ review prep
- 3.0 hours @ \$200
- Total: \$600.00

July 28:

- DEQ review
- 4.0 hours @ \$200
- Expenses: 160 miles @ \$.55/mile - \$88.00; parking - \$6.00
- Total: \$894.00

August 5:

- Lewand, Brader telecon
- 2.0 hours @ \$200
- Total: \$400.00

August 12:

- OMI review telecon; Feikens review
- 3.0 hours @ \$200
- Expenses; 27 miles @ \$.55 - \$14.85; parking - \$8.00
- Total: \$622.85

August 13:

- Director's Council prep
- 3.0 hours @ \$200
- Total: \$600.00

August 14:

- Director's Council
- 2.0 hours @ \$200
- Total: \$400.00

August 19:

- Director's Council prep
- 3.0 hours @ \$200
- Total: \$600.00

August 20:

- Hupp telecon; IMG review; Director's Council
- 4.0 hours @ \$200
- Expenses: parking - \$10.00; 27 miles @ .55/mile - \$14.85
- Total: \$824.85

August 24:

- Hupp telecon
- 1.0 hours @ \$200
- Total: \$200.00

August 27:

- Lewand telecon
- 1.0 hours @ \$200
- Total: \$200.00

August 28:

- McCulloch, Lewand meeting
- 2.0 hours @ \$200.00
- Expenses: 45 miles @ \$.55/mile - \$24.75
- Total: \$424.75

Summary of Fees and Expenses:

- Fees: 66 hours @ \$200/hour - \$13200.00
- Expenses: 351.00
- Total \$13551.00